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JENNA MINJAREZ

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Jenna Minjarez,)	Case No.:
)	
Plaintiff,)	COMPLAINT
)	
v.)	(Unlawful Debt Collection Practices)
)	
Worldwide Recoveries, LLC.,)	
)	
Defendant.)	

PLAINTIFF'S COMPLAINT

JENNA MINJAREZ (Plaintiff), through attorneys, KROHN & MOSS, LTD., alleges the following against WORLDWIDE RECOVERIES, LLC (Defendant):

INTRODUCTION

- Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

JURISDICTION AND VENUE

- Jurisdiction of this Court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
- Defendant conducts business in the state of Arizona; therefore, personal jurisdiction is established.
- Venue is proper pursuant to 28 U.S.C. 1391(b)(1).

PARTIES

5. Plaintiff is a natural person residing in San Tan Valley, Pinal County, Arizona.
6. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.
7. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)*, and sought to collect a consumer debt from Plaintiff.
8. Defendant is a collection agency and conducts business in Arizona.
9. Plaintiff is informed and believes, and thereon alleges, that Defendant is a collections business with an office in Santa Ana, California.
10. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

11. In or around May of 2011, Defendant began placing collection calls to Plaintiff in connection with an alleged debt.
12. Defendant calls Plaintiff from 714-475-5322, and possibly other numbers also.
13. Defendant calls Plaintiff's and also her husband's personal cell phones.
14. Defendant has called Plaintiff's husband at work on no less than six occasions, despite being clearly told that such calls are not allowed.
15. Defendant has repeatedly threatened wage garnishment, and the collection of up to 25% interest, unless the debt was immediately paid.
16. Defendant has called Plaintiff and her husband "idiots," "irresponsible," stated "let's pretend you have some intellect," and told them that "the sheriff is going to come out if you skip on this debt."
17. Despite Plaintiff's demands that calls and abusive conduct cease, Defendant has

1 continued to call Plaintiff, often up to three or four times per day, in attempts to collect
2 on the purported debt.

3 **COUNT I**
4 **DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

5 18. Defendant violated the FDCPA based on, but not limited to, the following:

- 6 a. Defendant violated *§1692c(a)(3)* of the FDCPA by communicating with the
7 consumer at the consumer's place of employment, knowing or having reason to
8 know that the consumer's employer prohibits such calls;
- 9 b. Defendant violated *§1692d* of the FDCPA by engaging in conduct the natural
10 consequence of which is to harass, abuse, and oppress any person in connection
11 with the collection of a debt;
- 12 c. Defendant violated *§1692d(2)* of the FDCPA by using obscene or profane
13 language the natural consequence of which is to abuse the hearer or reader;
- 14 d. Defendant violated *§1692d(5)* of the FDCPA by causing a telephone to ring or
15 engaging any person in telephone conversation repeatedly or continuously with
16 intent to annoy, abuse, or harass any person called at that number;
- 17 e. Defendant violated *§1692e* of the FDCPA by making false, deceptive, and
18 misleading representations in connection with the debt collection;
- 19 f. Defendant violated *§1692e(5)* of the FDCPA by threatening to take any action
20 that cannot be legally taken or is not intended to be taken; and
- 21 g. Defendant violated *§1692f(1)* of the FDCPA by collecting or attempting to
22 collect any amount (including interest, fee, charge, or expense incidental to the
23 principal obligation) unless such amount is expressly authorized by the
24 agreement creating the debt or permitted by law.
25

1 WHEREFORE, Plaintiff, JENNA MINJAREZ, respectfully requests judgment be entered
2 against Defendant, WORLDWIDE RECOVERIES, LLC, for the following:

3 19. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, 15

4 *U.S.C. 1692k,*

5 20. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,

6 *15 U.S.C. 1692k,* and

7 21. Any other relief that this Court deems appropriate.

8
9 RESPECTFULLY SUBMITTED,

10 DATED: August 10, 2011

KROHN & MOSS, LTD.

11
12 By: /s/ Ryan Lee

13 Ryan Lee
14 Attorney for Plaintiff
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VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF ARIZONA

Plaintiff, JENNA MINJAREZ, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, JENNA MINJAREZ, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

DATE:

8/3/2011


JENNA MINJAREZ